

Attorney Docket No.: 01CON218P-CIP  
Application Serial No.: 10/631,947

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REMARKS

JUL 31 2007

This is in response to the *Non-Final* Office Action of April 5, 2007, where the Examiner has rejected claims 1-22. By the present amendment, applicant has amended claims 1, 3, 6, 7, 9, 13, 15, 18 and 20, and has cancelled claims 2, 4, 5, 8, 10, 11, 14, 16, 17, 19, 21 and 22. After the present amendment, claims 1, 3, 6, 7, 9, 13, 15, 18 and 20 remain pending in the present application. An early allowance of outstanding claims 1, 3, 6, 7, 9, 13, 15, 18 and 20 in view of the following remarks is requested.

A. Rejection of Claims 1-22 under 35 USC § 103(a)

The Examiner has rejected claims 1-22, under 35 USC § 103(a), as being unpatentable over Wildfeuer, et al. (USPN 6,829,244) ("Wildfeuer") in view of Ahmad (USPN 6,868,116) ("Ahmad") and further in view of Schulzrinne, et al. ("RTP Payload for DTMF Digits, Telephone Tones and Telephone Signals," RFC 2833, IETF, May 2000) ("RFC-2833").

By the present amendment, applicant has amended independent claim 1 to recite "detecting an answer tone transmitted from said first modem over said first communication line in response to said placing; transmitting a first message indicative of said answer tone to said second gateway device over said packet network; detecting a phase reversal in said answer tone; and transmitting a second message indicative of said phase reversal to said second gateway device over said packet network." Applicant respectfully submits that the cited references fail to disclose, teach or suggest the above elements of claim 1, as amended.

Turning to Wildfeuer, applicant respectfully submits that Wildfeuer discloses the conventional approach described in the background section of the present application. In the conventional approach, the first gateway, which is in direct communication with the answering

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modem, detects the answer tone from the answering modem, and switches to G.711 and allows the answer tone to be passed through to the second gateway. However, the detection of answer tone, and in particular with phase reversal, by the second gateway may not be properly performed due to various issues. Therefore, Wildfeuer does not disclose, teach or suggest that an answer tone message and a phase reversal message are sent to the second gateway.

With respect to Ahmad, applicant respectfully submits that the invention of claim 1, as amended, is not about the detection of phase reversal or the circuitry to achieve the same. Rather, there is no teaching or suggestion in either Wildfeuer or Ahmad to detect an answer tone at the first gateway, which is in direct communication with the answering modem, and to transmit an answer tone message, and then to detect a phase reversal and to transmit a phase reversal message to the second gateway.

In addition, it is respectfully submitted that, first, RFC-2833 fails to disclose, teach or suggest how and when the messages are utilized, and even more importantly, RFC-2833 also fails to show a phase reversal message separate from the answer tone (or amplitude-modulated answer tone) message. Rather, RFC-2833 only shows a combined message (i.e. /ANS and /ANSam). Applicant respectfully submits that because the phase reversal appears every 450ms, transmission of a combined message creates a delay, because it would require the first gateway to wait for the phase reversal to occur before determining the type of message to be sent. As a result, the second gateway cannot start generating an answer until the combined message arrives from the first gateway. In contrast, the invention of claim 1, as amended, provides for separate messages, and as a result, the second gateway receives the answer tone message first and starts generating an answer tone, without any delay, while the first gateway may be determining a phase reversal to send a second message to the second gateway.

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Accordingly, for the reasons stated above, applicant respectfully submits that claim 1, as amended, is patentably distinguishable over Wildfeuer, Ahmad and RFC-2833, individually or in combination, and should be allowed. Further, independent claims 7, 13 and 18, as amended, should also be allowed for similar reasons. Also, claims 3, 6, 9, 15 and 20 depend from claims 7, 13 and 18, and should also be allowed.

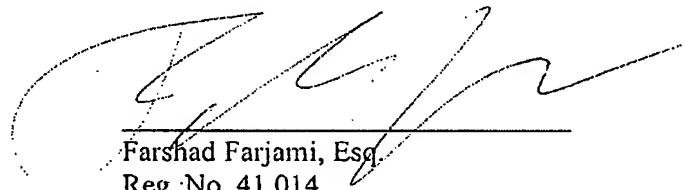
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B. Conclusion

Based on the foregoing reasons, an early Notice of Allowance directed to all claims 1, 3, 6, 7, 9, 13, 15, 18 and 20 pending in the present application is respectfully requested.

Respectfully Submitted,  
FARJAMI & FARJAMI LLP



Farshad Farjami, Esq.  
Reg. No. 41,014

FARJAMI & FARJAMI LLP  
26522 La Alameda Ave., Suite 360  
Mission Viejo, California 92691  
Telephone: (949) 282-1000  
Facsimile: (949) 282-1002

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